

MILWAUKEE COUNTY

Absentee voters in Milwaukee, Dane counties can say they're 'indefinitely confined' and skip photo ID, clerks say

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of drive-up voting Friday, March 27, 2020 in Madison, Wis. or cast their ballot from their vehicle. High-risk populations
Mark Hoffman - Milwaukee Journal Sentinel

Milwaukee and Dane County clerks issued guidance Wednesday that gives voters who request absentee ballots the option to declare themselves "indefinitely confined" if necessary, allowing them to vote without showing a photo ID.

But the Republican Party of Wisconsin accused the clerks of "illegally rigging an election" and said it will pursue legal action to stop this.

Milwaukee and Dane counties are the bedrocks for the state's Democrats.

Milwaukee County Clerk George Christenson wrote in a letter [posted to Facebook](#) Wednesday that he had informed municipal clerks in the county that this is an appropriate course of action during the coronavirus outbreak and given Gov. Tony Evers' stay-at-home order and guidance from the Wisconsin Elections Commission.

"I urge all voters who request a ballot and do not have the ability or equipment to upload a valid ID to indicate that they are indefinitely confined," he wrote. "Voters should not be reluctant to check the box that says they are indefinitely confined because this is a pandemic and this option exists in state law to help preserve everyone's right to vote."

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In a [Facebook post](#), Dane County Clerk Scott McDonell gave the same guidance and wrote that he was declaring that all of the county's voters "may indicate as needed that they are indefinitely confined due to illness."

In interviews, the county clerks said they were aiming their messages at those who are staying at home to avoid the spread of illness but don't have the technology or ability to provide a photo of their ID when requesting absentee ballots.

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"This is not an effort to circumvent the voter ID law," McDonell said. "If you're 25 and you've got an ID (and a way to take a photo of it), this is not for you."

But the Republican Party of Wisconsin said the clerks are "willfully ignoring" state election law on voter identification requirements.

"Reports of clerks willfully ignoring state statutes is an outrageous assault on our democratic process and Wisconsin's election laws," Andrew Hitt, the party's chairman, said in a statement. "It represents a blatant disregard of the rule of law by those elected to protect and apply them. The Republican Party of Wisconsin will aggressively pursue any legal remedy available to put a stop to clerks unilaterally and illegally rigging an election in their favor."

The head of a conservative legal group also criticized the move.

"Clerks may not change the law or use the pandemic to evade the requirement for photo ID," Rick Esenberg, the president of the Wisconsin Institute for Law & Liberty, said in a statement. "Voters may not check this box solely because of the coronavirus pandemic and the governor's shut-down order. It may be used only because of the voter's age, illness or physical infirmity."